

**To:** Knutson, Jason R - DNR[Jason.Knutson@wisconsin.gov]  
**Cc:** White, Quintin[white.quintin@epa.gov]; Wester, Barbara[wester.barbara@epa.gov]  
**From:** Colletti, John  
**Sent:** Wed 6/22/2016 8:03:46 PM  
**Subject:** RE: Issue 20 - Adjustment of Limits when wastewater is disposed of into wells, POTWs, or by Land Treatment (40 CFR 122.50)

I am okay with the use of the term land treatment system instead of land application.

**From:** Knutson, Jason R - DNR [mailto:Jason.Knutson@wisconsin.gov]  
**Sent:** Wednesday, June 22, 2016 2:15 PM  
**To:** Colletti, John <colletti.john@epa.gov>  
**Cc:** White, Quintin <white.quintin@epa.gov>; Wester, Barbara <wester.barbara@epa.gov>  
**Subject:** RE: Issue 20 - Adjustment of Limits when wastewater is disposed of into wells, POTWs, or by Land Treatment (40 CFR 122.50)

Actually, I have come across definitions in our code:

Land Application (204.03 (33)): "Land application" means the spraying or spreading of sludge onto the land surface, the injection of sludge below the land surface, or the incorporation of sludge into the soil. Sludge can either condition the soil or fertilize crops or vegetation grown in the soil.

Landspreading system (214.03(24)) "Landspreading system" means a system where a controlled quantity of liquid waste or by-product solid is uniformly applied onto, or incorporated into, the soil surface of designated sites by means of a vehicle with a spreader bar, spray gun or subsurface injector. The wastes are to be applied for the benefit of the vegetative cover. Landspreading systems also include those systems where liquid wastes are occasionally applied through temporary

irrigation piping at a frequency similar to that of application  
by vehicles.

Land treatment system (214.03(26)) “Land treatment system” means a system that utilizes the physical, chemical and biological abilities of the soil to decompose pollutants in the wastes. Land treatment systems include:

- (a) Absorption or seepage pond systems,
- (b) Ridge and furrow systems,
- (c) Spray irrigation systems,
- (d) Overland flow systems,
- (e) Subsurface absorption field systems,
- (f) Landspreading systems for liquid wastes or organic by-product solids,
- (g) Sludge spreading systems, and
- (h) Any other land area receiving liquid wastes, by-product solids or sludge discharges.

Because our “land application” definition applies to sludge, I believe that our “land treatment” definition is most aligned with the intent of 40 CFR 122.50, and it encompasses landspreading systems.

So, my plan is to eliminate “into wells” from our proposed code and change “land application” to “land treatment.”

Thanks again for your help,

Jason

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Jason Knutson

Phone: (608) 267-7894

[Jason.Knutson@wisconsin.gov](mailto:Jason.Knutson@wisconsin.gov)

**From:** Knutson, Jason R - DNR

**Sent:** Wednesday, June 22, 2016 2:00 PM

**To:** 'Colletti, John'

**Cc:** White, Quintin; Wester, Barbara

**Subject:** RE: Issue 20 - Adjustment of Limits when wastewater is disposed of into wells, POTWs, or by Land Treatment (40 CFR 122.50)

Hi John,

Thanks for the quick response. Correct - we do not allow underground, vertical injection wells (although subsurface absorption systems such as horizontal distribution systems are allowed as land treatment systems).

Thanks for the feedback on the definition. Is there a definition of land application anywhere in the CFR?

Jason

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**From:** Colletti, John [<mailto:colletti.john@epa.gov>]

**Sent:** Wednesday, June 22, 2016 1:55 PM

**To:** Knutson, Jason R - DNR

**Cc:** White, Quintin; Wester, Barbara

**Subject:** RE: Issue 20 - Adjustment of Limits when wastewater is disposed of into wells, POTWs, or by Land Treatment (40 CFR 122.50)

Hi Jason,

Just to clarify, you do not allow underground injection wells within the state. Haven't had a chance to look at 812.05 so I don't know. We have other states that define groundwater as a water of the state and allow underground injection wells.

Regarding land application, using the definition you propose is okay. This is process wastewater and not sludge or biosolids and I believe your use of the terms land spreading system and land treatment system refer to process wastewater.

John

**From:** Knutson, Jason R - DNR [<mailto:Jason.Knutson@wisconsin.gov>]

**Sent:** Wednesday, June 22, 2016 1:41 PM

**To:** Colletti, John <[colletti.john@epa.gov](mailto:colletti.john@epa.gov)>

**Subject:** Issue 20 - Adjustment of Limits when wastewater is disposed of into wells, POTWs, or by Land Treatment (40 CFR 122.50)

Hi John,

Thanks for all your help on this rule package. I am making some final touches and have a question for you on Issue 20 (I actually left you a voicemail, but you can disregard that if you get this email first).

First, I should mention that, in Wisconsin, groundwater is considered water of the state, and we prohibit disposal of pollutants into wells under s. NR 812.05. So, I am taking all mentions of “wells” out of this new section of our code addressing adjustment of limits.

My question, though, is regarding the definition of “land application.” I don’t believe that we define “land application” in our code, and I am wondering if the CFR defines it anywhere. I was unable to find such a definition in 40 CFR 122.2.

Wisconsin Adm. Code defines “land treatment system” and “land spreading system” in ch. NR 214, and I am tempted to define “land application” as disposal of pollutants via either a land treatment system or a land spreading system. I would like to run this by you first, though, to make sure that I am not distorting the intent or meaning of 40 CFR 122.50 in doing so.

Thanks,

Jason

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